

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

BEHAVIOR ANALYST CERTIFICATION)	
BOARD, INC.,)	
)	
Plaintiff,)	
v.)	Civil Action No. 4:23-cv-00194-ALM
)	
MICHAEL MOATES, an individual;)	
MISTY KIESCHNICK, an individual; and)	
THE GLOBAL INSTITUTE OF BEHAVIORAL)	
PRACTITIONERS AND EXAMINERS,)	
)	
Defendants.)	

AFFIDAVIT IN SUPPORT OF CLERK’S ENTRY OF DEFAULT

I hereby certify that I am the attorney of record for the Plaintiff in the above case, and that Defendants Michael Moates (“Moates”) and The Global Institute of Behavioral Practitioners and Examiners (“GIBPE”) were served by the following methods:

Service upon Defendant Moates

- Personal service on May 22, 2023 (Dkt. 20)
- Certified mail, return receipt requested, on May 30, 2023 (Ex. B)

Service upon Defendant GIBPE

- Personal service upon Misty Kieschnick as Director on May 19, 2023 (Dkt. 25)
- Personal service upon Michael Moates as Director on May 22, 2023 (Dkt. 19)
- Certified mail, return receipt requested, on May 30, 2023 (Ex. B)

I further certify that Defendants Moates and the GIBPE have failed to serve an answer or other responsive pleading; no extension has been granted or any extension has expired; the

Defendants are neither an infant (under age 21) nor an incompetent person; the Defendants are not in the active military service of the United States of America or its officers or agents and were not six months prior to the filing of the case.

The Clerk is requested to enter a default against Defendants Moates and the GIBPE.

Respectfully submitted this 2nd day of August, 2023.

HALL, RENDER, KILLIAN, HEATH & LYMAN, P.C.

s/ Mark L. Sabey

Mark L. Sabey, *pro hac vice*

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and

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned certifies that on August 2, 2023, a true and correct copy of the foregoing was served upon the following:

Misty Kieschnick
9448 Castlewood Dr.
Fort Worth, TX 76131
m.kieschnick@att.net
Defendant – *pro se*

Michael Moates
4501 Nautilus Circle, Apt. 710
Fort Worth, TX 76106
mike@cpmht.com
Defendant – *pro se*

The Global Institute of Behavioral Practitioners and Examiners
4501 Nautilus Circle, Apt. 710
Fort Worth, TX 76106
mike@cpmht.com
Defendant – *pro se*

s/ Crystal J. Sebastiani
Crystal J. Sebastiani, Paralegal